

CACCC Meeting Report

January 17, 2004

Indianapolis, Indiana

Attendees:

Council members: Chuck Bauer, Paula Yeager, Pete Hanebutt, Frank Keeton, David Dimmich, Doug Metcalf, Doug Allman, Glenn Lange, Gene Hopkins, Brad Thurston
Facilitator: Tom Wasson; Recorder: Jeanne Odaffer; 'Secretary: Debbie Bray-absent.

Guests: 50 - 60 members of the public attended various portions of the meeting.

Meeting Agenda Topics:

1. Housekeeping & Meeting Logistics
2. Review/Approval of December Meeting Report
3. Resolving Issues
4. Public Input - Morning
5. Resolving Issues
6. Public Input - Afternoon
7. What Next?

1. HOUSE KEEPING AND MEETING LOGISTICS

- Reviewed for the public sign-in and public input information
- Reviewed lunch arrangements for council

2. REVIEW/APPROVAL OF DECEMBER MEETING REPORT

- Some discussions to affirm that the approval of the meeting report only means that they reflect of what was discussed.
- December meeting report:
 - Council voted to accept report as written

3. RESOLVING ISSUES

Before working on another issue the council reviewed & adjusted the issue statements that had been drafted based upon discussions/decisions at previous meetings.

Rehabilitation of White-tailed deer

(Draft statement developed by Glenn and Doug M.)

- Suggest prohibiting rehab
- Presently up to judgment of Conservation Officer (C.O.)
- Educate public, need more and better

- Develop Non-Rule policy for C.O. to deal with fawns. Deal with uniformly (every C.O.) Suggested DNR draft Rule. Glenn L. to add to rehab policy***
- Co-mingled deer (within 30 feet) could be problem. With CWD this could be problem in future.

Cervids as Pets

(Draft statement developed by Glenn and Doug M.)

- Prohibit pets from breeding. Add bullet to “Cervids as Pets”.
- 1st bullet to read “Possession of Cervids as pets means the private ownership of a member of the Cervid family where the owner does not use the Cervid for economic gain or commercial use or reproduction.”
- Do not remove bullet #2
- Reindeer vs. Caribou. Does DNR distinguish between? DNR address this question – Glenn***
- Fences – Should have same standards for pets as well as commercial? YES, same as all cervid regulations.
- Penalties – it is suggested penalties to be decided by different smaller group – COUNCIL NOT TOTALLY IN AGREEMENT . ***
- Bullet to read “The DNR controls the possession of Cervids as pets native to the lower 48 states (White-tailed deer, Mule deer, Elk, Moose and Caribou) to fulfill their responsibility for proper management of native wildlife.”
- Permanent I.D. ...Following guidelines proposed by Council. Same level of identification for all captive cervids. ***
- Doug M. and Glenn L. to add modifications. To be reviewed by Council first before posting. ***

Regulatory Functions of DNR and BOAH

(Draft statement developed by Glenn and Doug M.)

- *** 1st paragraph - DNR responsible for regulating **All Hunting of Cervid Species. All Council Agrees.**
- *** Bullet “5” add “**for all cervid species**”
- *** DNR may not have money to implement “**all Cervids**”
- *** **New Bullet – Council concerned DNR will have inadequate funding for additional responsibilities. Funding MUST be generated and supported by legislature.**
- Bullet #3 Identification: require Visual I.D. Permanent – Next meeting Doug M./ Glenn L. to draft a statement; council will send suggestions.***
- Info space can be added at no cost to DNR for data base.
- **COUNCIL AGREES TO “REGULATORY FUNCTIONS OF DNR-BOAH” WITH ABOVE MODIFICATIONS.**
- Doug M. handed out & reviewed

- Aphis – PROPOSED RULES – Can see bill at www.usda.gov - on line.
- Senate bill #397 drafted by BOAH. **Council okay with** proposed bill if Dr. Marsh will call Sen. Jackman and ask that the bill to remain pure and unchanged.

4. PUBLIC INPUT - MORNING

- #1 Rehaber Diane Evans – 180 days too long to keep deer before releasing. DNR licensing, Recommend make New Category “Cervid Rehaber”. USDA license has a class “C” Exhibitor, ours (DNR) supercede this?
- #2 Ken Macintosh – Deer breeders create more jobs, see handout.
- #3 Tim Tagg – Deer farmer is concerned that “deer farming” is not separated from “deer hunting”. Says 80% of venison is imported from out of our country. Asks for easing of restrictions. Different rules for different cervid use.
- #4 Leslie ?? Elk Farmer – by not allowing hunting is afraid DNR trying to stop elk farming. Elk meat is being imported. Council needs to educate constituents. Need to visit different farms. Hunters should be able to decide where to hunt.
- #5 Dave Delaney – “We know little about prions.” Cervid farming is, potentially, a liability because of prion instability. Mixing two issues #1 – hunting and #2 farming. Promoting farming/hunting behind fence is a mistake.
- #6 Jack Hydan – Believes sportsman do not have problem with fenced hunting.
- #7 Lamar Burkholder – Land-owner who raises deer. Does not have high fenced hunting, but does allow some hunters to hunt his land. Believes this issue deals with extremists and he feels we need people who will work together.
- #8 Danny East – CWD creeping up with us. Need to take precautions.
- #9 Joel Adams – No biological benefit to rehabbing deer. He believes that statement is incorrect. CACCC Council is dealing with an issue of a public resource. He is upset rehabbers are not on Council. Not fair balance of women on Council. Public issue, need more women on council
- #10 Jay Baker – St. Joe County. Stated that there is an unbalanced reaction by Conservation Officers (CO’s) from county to county in interpretation of rules. Interpretation of rules is vague. Believes there is a misinterpretation of rules by veterinarians. Believes we should let society make final decision.
- #11 Avery Burkholder – Has been raising deer for 20 yrs. Suddenly raising deer is an issue because of CWD. He states, “The industry is growing so fast.” Should be able to deer farm.
- #12 Evon Trigger – farmer. Farming is an opportunity to stay at home with family and work. Alternate farming is a way for children to learn responsibility and landowners should have rights. There is a market available and we should try to keep commerce in the state. Jobs are generated with this industry and we should keep revenue in Indiana.
- #13 Joe Baker – Indiana Deer Hunter Association. Association believes cervid should be under DNR. They do not agree with penned hunts. Association does not believe there is “fair chase” behind fences.

#14 Gary Shadland – Agrees with comments regarding “No Fenced Hunting”. He believes 8 foot fencing standard is not best for Indiana. He recommends 10 to 12 foot or adding secondary portion to existing fence or dual fencing. He believes domesticated deer shouldn’t be hunted and the public should be involved.

#15 Bill Herring – is concerned about CWD. He believes the temporary ban on importation and exportation should be permanent. He stated the “rack size” and big deer is reason for fenced hunts and that it is not good for Indiana. He stated the “big money” is driving force for Indiana to bend law. He believes poaching will increase and wants a permanent ban on live importation/exportation of cervids.

#16 Brian - Has been raising deer for a long time. He believes in making a living on his farm. He is concerned that a muscel loader can kill 250 yards away and asks “is that fair chase?”

#17 Rodney Bruce – is a hunter and raises white-tailed deer. He has a fenced farm and said deer are his business for 5 yrs. His people do not agree fenced farms are bad. He has not had negative comments regarding his farm. He believes we should use common sense with disease.

#18 Kathleen Ausfeld – IU/ HUS Kathleen is against canned hunts. She believes fenced hunts “force hunt on deer”. She wants to know what is the advantage of hunting? She questions “subsistence vs Big Buck.”

#19 Mr. May – What is fair chase?

#20 Lee Fritz – deer farmer, says hunters are not against canned hunts. Farming is an income. He is not aware of problems with CWD.

Lunch Break

HOUSE KEEPING ITEM

Hoosier Outdoor Writers: invited Council and /or representatives from council to attend their media get together Saturday February 21st at 9:00 AM. Glenn L. advised that the Department of Natural Resources, Fish and Wildlife (Glenn L.) will provide a summary of council activities for the event. Hoosier Outdoor Writers requesting DNR, BOAH, cervid farmer, sportsman’s group all attend the meeting.

Comments on the invitation:

- You need to be guarded about what you say.
- Useful, talk about how facilitated meetings work
- Maybe, if we are close to the draft agreed
- Can’t speak for entire Council
- Our meeting open to public
- Talk about process
- Glenn will bring Statement for review by council before it is given to H.O.W.
- *** Glenn required to be there
- *** Doug A, Brad T. will be there anyway, can go as Council reps.
- No open forum debate.

5 . RESOLVING ISSUES - continued

Cervid Fencing Regulations - 1/10/04 draft (Draft statement developed by Chuck Bauer)

pp.#1 with changes should read “In any case in which a fence or enclosure contains wild white-tailed deer, the facility owner must contact the Indiana Department of Natural Resources to work out a plan to deal with these captive deer.

- allow deer to be purchased from State? Or remove deer only
- Compensation to State?
- Differing opinions
- DNR should decide
- Putting process in place
- SET ASIDE “compensation for fenced public deer”
- 10 foot fencing for white-tailed deer – good
- 8 foot for other cervids – good (specify)
- According to BOAH’s Dr. Garland an 8 foot fence is sufficient for CWD susceptible cervid (mule deer, red deer, elk, sika, hybrids)
- Other cervids no fence height (fallow deer, reindeer) except stock fence.
- Fence to revert ingress/egress to Federal standards
- *** Concerned about acreage size – **discuss and research**
- 10 year time limit before must come of up standards???
- If 50 foot or more of fence is replaced, it must be replaced with 10 foot game fence.
- Extended 8 foot can be permanent
- Item #1
 - 1. Add up to two feet double wire or replace existing fence with 10 ft. fence within 7 years. Any section longer than 50 ft. replace with 10 ft. game fence.
 - 2. Decide to use 2 eight ft. containment fences not less than 10 ft. and not more than 25 ft. apart.
- **Decision: After considerable conversation agreement was reached to allow 4 years from July 2004 (which would be July 2008) to get the fences into compliances. If CWD disease found, fences must be in compliances by 1 year after disease reported.**
- For white-tailed new facility must have 10 ft game fence.
- Existing facility can choose between 2 - 8 ft. fences or add 2 ft. to existing.
- ***Chuck will amend above and e-mail all.

Hunting Behind Fences

Brad briefly discussed the draft “hunting ranch standard” emailed to all council members. It is a point to begin the conversation. Not everyone had copies.

Glenn L. had a handout that had been reviewed by the DNR and BOAH Directors. Also, it is a point to begin the conversation. It was to use this because everyone had a copy.

Glenn stated:

- 1500 surveyed. 60% opposed to hunting behind wire.
- DNR – opposes behind wire, but willing to discuss standards

Captive Cervid Hunting Standards: (from DNR)

Begin discussion reviewing first standard, but soon discovered the need to discuss other standards at the same time.

1. Facility must be a minimum of 640 contiguous acres in size

Comments:

- too large acreage
 - how did you reach acreage size?
 - Does not require hunter density
 - St. Part has no fence
 - Believes hunter density is an issue
 - Deer hunting now on 2-3 acre tracts
 - Can drive deer be “legal”
 - Deer in fence cannot go wherever he wants.
 - Safari Club – all “records” were found “behind fence” Now differentiated by asterisk (*)
 - Now “Safari” trying to establish types of “rancher” things considered_ escape cover, no drives, no pushers, density/hunter 40-60 acres,; hunter per day density “assembly line”; need minimums – on all Density, Acreage, Number of Deer
 - Glenn – add “contiguous” after 640. If you only want the meat, then raise deer, bid on it and take to slaughter. If not, what does industry want to do?
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- ❖ **Dave** – 80 acres minimum, 40% escape cover #3&4 no comment, #6 40 #7?, #8 separate set of regulations, #9 yes but not to coincide with regular license, #10? Standards that should be abided by from all areas. Deer don’t acclimate easily to “learned behavior”. Dave has been at 200 acre facility and didn’t see a deer. Can be as sporting as you want it to be.
 - ❖ **Brad**-Unique tag (ear) for fenced deer from wild deer, separate regulations for penned hunts, separate license, forested land vs. escape cover – define “escape cover”, density not more than state, unique hunting license, no driving deer, guides should participate. Ethics only apply from Deer’s perspective.
 - ❖ **Gene** - ? minimum size, all racks should be permanently identifiable, can see need for “guide” but need explicit definition to that “person”, has to have separate licensing.
 - ❖ **Doug M** – call it “shooting” not “hunting”. We are trying to construct what most people will tolerate.

- ❖ **Pete** – #1 more acreage but ok with 640, #2 need “natural escape cover”, #3-4-5-6-are ok, #7 ok need hunter density. #8-9ok, #10 ok to have 1 non-weapon person, need to define “person” need visible tag in each ear. Allow herd reduction by owner only, not profit from it. Owner would have to reduce his own herd. Need to take “Straw man “ to constituents
- ❖ **Chuck** – Believes raising deer to be shot is a problem. Raised deer cannot be considered ethical

Jeff Wells:

- Money is driving “behind fence” hunting
- We need to look at the whole “view” of hunting behind fence
- Hunter density is too high (average acreage is 20)
- Does Not condone drives, baiting, moving tranquilized deer to facility

*** Officer Wells asked the Council “Does the Council agree that negative aspects should not be condoned? The Council replied, “YES”

- ❖ **Doug A.** – Are deer farmers striving to try to achieve fair chase or just give the perception of achieving fair chase? Many factors involved in “fair chase”, supply and demand.

To organize the discussion and allow it to continue between the meetings; Doug M will send out spreadsheet to everyone for comment. Put comments in an email to all council members and attach the spreadsheet with your reference numbers.. **Need to add your individual comments before February 3rd**, so Doug M. can begin a document to the next meeting. Glenn and Doug M. to finalize “Cervid Hunting Behind Fence” section.

6. PUBLIC INPUT – AFTERNOON

- #1 Rick Mitchell – Deer Fence/Farmers should provide guidelines to Council 1st for Council consideration
- #2 Cliff Corley – Hunters should unite. All types of hunters
- #3 Jenny Palates – need to see hunters unite. Park hunts uncontrolled. Tend to go to hunt preserve because of safety.
- #4 Dave Delaney – Dr. Johnson said... “In regard to CWD as potential health problem, more than Mad Cow, disease can be spread by urine and saliva.” Disease out weighs monetary gain.
- #5 ?? – Who will set cost of license? Cost should not be set too high.
- #6 Chuck Bellar – threat of CWD. Health Department is at his farm twice a week and should be safer than wild deer.
- #8 Tipp Tayhe – 100 acre minim farms. Hunter density is big issue. Look at forested land as escape cover. “Non-licensed individual” needs to be defined. Ethics are

a big concern. The urine transmission of CWD is in question. Mad Cow (B, TSE are separate diseases, only 2% of Cow's vs. 100% deer.

#9 Mike - 1st concern is that "fenced" hunting is already an accepted fact. Hunters should be asked what they want.

#10 Glen Smith – Fenced hunting is not ethical, wildlife should be "wild", and previously stated percentage of wounding was not accurate.

#11 Jerry Hatfield – He will not hunt fenced land. CWD is a problem, if reason to have fenced hunt is money, that reason is not acceptable.

#12 Brad Brandaham – Handicapped friend got deer with crossbow at Brad's place. Handicapped friend said he wouldn't go to a fenced hunt again because "it's not hunting" and his second comment was "He hasn't hunted with cripples before." Ethics are really important.

#13 John Cook – has children says ethics and money are reasons not to have fenced hunting. If we allow fenced hunting, in the future, will that make it impossible for regular hunting in future?

#14 Howard Griffith – Concern #1- future of hunting if behind fence. #2 – hunting negative wrong to kill deer if patterned and raised to be killed by someone with money.

#15 Terry Bohland – in the Bible god gave people the job to name animals. Wild animals should not be behind fence. Hunting different than penned hunt situation.

#16 Bud Halcome – Shooting animals behind fence will give more "negative" shading to hunting and negative outlook from non-hunters.

#17 Leonard – is against fenced hunting. He believes it's "not right". Deer raised for meat is ok. He thinks we should pole all the people in Indiana and most of them would be against fenced hunting.

#18 Wayne – There is No difference hunting behind fence and preserve. Fenced hunting is a growing business. Negative attitude is not correct. Disease –BSE-TSE not the same, no transmission of TSE to people

#19 Roland – Elk Breeder. Identify antlers. Fencing can affect those around him. Guides make sure not overkill. DNR should be held accountable as well as BOAH. He feels we will get CWD.

#20 Ed Reed – hunter. Might hunt in fenced hunt, if not guaranteed a deer. Should not allow any deer in record books if from fenced farm. Should be hunter's choice to hunt or not hunt fenced farm. He thought the meetings were to see if it would be allowed or not allowed to have fenced hunts, but sees now it is a matter of how they are going to hunt the fenced farms. If government makes money why not individuals allowed to make money. Fair chase should be listed on videos of farms. He believes the State needs more Conservation Officers and that 2 ft of fence added on to make 10 ft. fences should begin immediately.

COMMENT TO PUBLIC from the council - IT HAS NOT BEEN DECIDED AS YET TO ALLOW OR NOT ALLOW HUNTING BEHIND FENCE.

7. WHAT NEXT:

February 10 –11, 2004 - 2 day meeting. Call and make your own reservations at Spring Mill if you are coming the evening of the 9th.

GOAL – is to approve all draft issue statement.

Four more items to discuss:

1. Hunting
1. Identification
2. Penalties
3. Economics

All core issues have been addressed. All council to review issues.

Need full two days.

2-10-04 Tuesday start at 9:00 AM.

Dinner 4:30 to 6:00 PM

Evening Session 6:00 PM

Public input session to begin at 7:30 PM.

2-11-04 Wednesday 8:30 AM to 4:00 PM

Debbie Bray to send email with Spring Mill phone number for reservations

Public Session Dates:

Two days back to back with “stations” for Council members to man.

March 9th and 10th and March 19th and 20th.

Doug M. and Glenn L to pick places.